

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Monica L. Plaxton (aka Monika L. Garin)

(b) County of Residence of First Listed Plaintiff Clark
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Rory J. Vohwinkel, Vohwinkel & Associates, Las Vegas, NV 89147
702-838-3874

DEFENDANTS

VERIZON WIRELESS, NATIONAL ENTERPRISE SYSTEMS,
PROGRESSIVE MANAGEMENT SYSTEMS, and THE CBE +County of Residence of First Listed Defendant Clark
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business In This State	PTF	DEF
<input type="checkbox"/> 1	<input type="checkbox"/> 1			<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER/STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Torts Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
			FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions
				<input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify) _____	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment
---	---	--	---	--	---	--

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 USC 1692, 15 USC 1681Brief description of cause:
Violation of Fair Debt Collection Practices Act and Fair Credit Reporting Act

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

07/22/2009

/s/ Rory J. Vohwinkel

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE

1 Rory J. Vohwinkel, Esq.
2 **VOHWINKEL & ASSOCIATES**
3 Nevada Bar # 8709
4 9980 W. Flamingo Road
5 Las Vegas, NV 89147
6 Telephone: (702) 838-3874
7 Fax: (702) 838-9132
8 Rory@rovolaw.com
9 *Attorney for Plaintiff Monika L. Plaxton*
10 *(aka Monica L. Garin)*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

11 MONICA L. PLAXTON (aka MONICA L.
12 GARIN), an individual,
13 Plaintiff,
14 vs.
15 VERIZON WIRELESS, a domestic
16 corporation, NATIONAL ENTERPRISE
17 SYSTEMS, a domestic corporation,
18 PROGRESSIVE MANAGEMENT SYSTEMS,
inclusive; and ROE ENTITIES VI-X, inclusive,
Defendants.
CASE NO.:
COMPLAINT
DEMAND FOR JURY TRIAL

JURISDICTION

21 1. The jurisdiction of this Court attains pursuant to the FDCPA, 15 U.S.C. §
22 1692k(d), 28 U.S.C. § 1331, 28 U.S.C. § 1332, and the doctrine of supplemental jurisdiction.
23 Venue lies in the Southern Division of the Judicial District of Nevada as Plaintiff's claims arose
24 from the acts of the Defendants perpetrated therein.

PRELIMINARY STATEMENT

26 2. This action is instituted in accordance with and to remedy Defendant's violations
27 of the Federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (hereinafter

1 "FDCPA"), the Fair Credit Reporting Act, 15, U.S.C. § 1681 et seq. (hereinafter "FCRA"), and of
2 related state law obligations brought as supplemental claims hereto.

3 3. In 2008, Defendants Verizon Wireless, National Enterprise Systems and
4 Progressive Management Systems initiated a campaign of abusive, unfair, unreasonable, and
5 unlawful debt collection activity directed against Plaintiff.

6 4. Beginning in 2008, Defendant Verizon began unlawfully furnishing information
7 relating to Plaintiff to one or more of the consumer credit reporting agencies despite knowledge
8 and/or reasonable cause to believe that the information was inaccurate

9 5. In 2009, despite knowledge of Plaintiff's dispute of the debt alleged owed by
10 Plaintiff, Defendant Verizon referred Plaintiff's matter to a third collection company, Defendant
11 The CBE Group, who initiated unlawful debt collection activity directed against the Plaintiff for a
12 third time.

13 6. As a result of these and other violations of law, Plaintiff seeks hereby to recover
14 actual, exemplary, punitive and statutory damages together with reasonable attorney's fees and
15 costs and repairing her damaged Credit.

PARTIES

17 7. Plaintiff, Monica L. Plaxton (aka Monica L. Garin), is a natural person who resides
18 in Las Vegas, Nevada, and has been a resident since February 2007, and is a "consumer" as
19 defined by 15 U.S.C. Section 1692a (3) and allegedly owes a "debt" as defined by 15 U.S.C.
20 Section 1692a (5).

21 8. Defendant Verizon Wireless is a domestic corporation, the principal purpose of
22 doing business is with telecommunications, wherein its headquarters is located in New York and
23 they have business locations all over the United States of America, including the State of Nevada.

24 9. Defendant National Enterprise Systems (“NES”) is a domestic corporation, the
25 principal purposes of whose business is the collection of debts, operating a debt collection agency
26 from its principal place of business in Solon, Ohio and regularly collects or attempts to collect
27 debts owed or due or asserted to be owed or due by another, and is a “debt collector” as defined
28 by 15 U.S.C. Section 1692a (6).

1 10. Defendant Progressive Management Systems (“PMS”) is a domestic corporation,
2 the principal purposes of whose business is the collection of debts, operating a debt collection
3 agency from its principal place of business in West Covina, California and regularly collects or
4 attempts to collect debts owed or due or asserted to be owed or due by another, and is a “debt
5 collector” as defined by 15 U.S.C. Section 1692a (6).

6 11. Defendant The CBE Group (“CBE”) is a foreign corporation, the principal purpose
7 of whose business is the collection of debts, operating a debt collection agency from its principal
8 place of business in Waterloo, Iowa and regularly collects or attempts to collect debts owed or
9 due or asserted to be owed or due by another, and is a “debt collector” as defined by 15 U.S.C.
10 Section 1692a(6).

FACTUAL ALLEGATIONS

12 12. Plaintiff repeats, realleges and asserts all factual allegations contained in the
13 preliminary statement to this Complaint and reassert them as incorporated in full herein.

14 13. Plaintiff previously had a wireless cellular phone account with Defendant Verizon.

15 14. Plaintiff's account number was 670384232-00001.

15. Plaintiff's account with Defendant Verizon was terminated in January 2008.

16. In 2008, Defendant Verizon retained the services of Defendant NES to pursue
17 collection of an alleged debt against Plaintiff.
18

17. In June, 2008 Plaintiff received a notice dated May 28, 2008, of an alleged
Verizon Wireless debt from Defendant NES. **EXHIBIT 1.**

18. Prior to receipt of the May 28, 2008 correspondence, Plaintiff had no prior notice
of the alleged debt.

23 19. The May 28, 2008 notice from Defendant NES was sent to Plaintiff at a
24 Bloomfield Hills, Michigan address. See Exhibit 1.

25 20. Through contacts of Plaintiff in Michigan, such collection notice was forwarded to
26 her at her residence in Las Vegas, Nevada.

27 21. Plaintiff never requested Defendant Verizon or its agents to send notices to her in
28 Bloomfield Hills, Michigan.

1 22. Plaintiff has resided in Las Vegas, Nevada since February 2007.
2 23. Plaintiff does not reside in Bloomfield Hills, Michigan.
3 24. Plaintiff does not work in Bloomfield Hills, Michigan.
4 25. Plaintiff's previous invoices were emailed to her and were never mailed to her at a
5 Bloomfield Hills, Michigan address. **EXHIBIT 2.**

6 26. Correspondence dated June 13, 2008, was sent to Defendant NES informing them
7 that the alleged debt was disputed by Plaintiff. **EXHIBIT 3.**

8 27. Plaintiff received correspondence from Defendant NES dated July 3, 2008,
9 wherein they provided a copy of the documents provided by Defendant Verizon. **EXHIBIT 4.**

10 28. The Verizon Contract sent by NES references a new executed contract dated
11 January 11, 2008, however this was not in the name of Monica Plaxton, the phone number
12 associated with the account, 702-219-7395 was transferred to a new Verizon account and
13 removed from Plaintiff's account. See Exhibit 3.

14 29. The Verizon Contract dated January 11, 2008, sent by NES was not executed by
15 Plaintiff.

16 30. On July 17, 2008, Plaintiff informed Defendant NES that the documents in their
17 July 3, 2008 correspondence were missing information in relation to payments made by Plaintiff
18 and billings she never received. Plaintiff requested additional documentation from Defendant
19 NES. **EXHIBIT 5.**

20 31. In the July 17, 2008 correspondence, Plaintiff also informed Defendant NES that
21 she resides in Las Vegas, Nevada and never provided Verizon Wireless with a Bloomfield Hills,
22 Michigan address to send her notices. See Exhibit 5.

23 32. Plaintiff's July 17, 2008 request for additional documentation supporting the
24 alleged debt went unanswered by Defendant NES.

25 33. On October 8, 2008, Plaintiff informed Defendant NES that they had failed to
26 provide supporting documentation of the alleged debt and that despite the fact that the debt was
27 properly disputed, Defendants illegally reported invalid information to one or more of the three
28 (3) major Credit Bureaus. **EXHIBIT 6.**

1 34. The October 8, 2008 correspondence was received by Defendant NES on October
2 11, 2008. **EXHIBIT 7.**

3 35. Plaintiff received no further communications or correspondence from Defendant
4 NES.

5 36. Despite the knowledge that Plaintiff properly disputed the alleged debt, Defendant
6 Verizon ignored this information and retained another collection agency, Defendant PMS to
7 collect the same disputed debt from Plaintiff.

8 37. Defendant Verizon harassed Plaintiff in violation of FDCPA § 1692 (d) by hiring a
9 second collection company, after knowledge from Defendant NES that Plaintiff disputed her debt
10 and informed Defendant NES that legal action would be taken due to the negative reporting
11 actions on Plaintiff's credit.

12 38. A statement dated December 7, 2008 was sent to Plaintiff at the same Bloomfield
13 Hills, Michigan address, in attempt to collect the same alleged debt that had already been disputed
14 by Plaintiff. **EXHIBIT 8.**

15 39. Defendant PMS, at the direction of Defendant Verizon contacted Plaintiff at her
16 residence on December 10, 2008, in violation of FDCPA 1692 (b) (6).

17 40. During the December 10, 2008 phone call with Defendant PMS, Plaintiff informed
18 their agent that the debt was already in dispute, that another collection agency was handling the
19 matter and that she had retained an attorney to represent her and faxed a copy of all the
20 documents and correspondence between Plaintiff and Defendant NES to Defendant PMS.

21 **EXHIBIT 9.**

22 41. In December 2008, Plaintiff verbally requested Defendant PMS to provide proof
23 of the alleged debt.

24 42. Correspondence dated December 23, 2008, was received from Defendant PMS
25 stating that they would be forwarding documentation to Plaintiff shortly of the alleged debt.

26 **EXHIBIT 10.**

1 43. Correspondence dated January 13, 2009, was sent to Defendant PMS informing
2 them that despite Plaintiff's request for the supporting documentation no such documentation had
3 been received to date. **EXHIBIT 11.**

4 44. Plaintiff also provided proof of the disputed debt and all correspondence again to
5 Defendant PMS in her January 13, 2009 correspondence. See Exhibit 10.

6 45. In February 2009, Plaintiff received documents from Defendant PMS, which were
7 the same documents Verizon Wireless provided to their first debt collection company, Defendant
8 NES. No documentation was provided which supported the alleged debt owed by Plaintiff, nor
9 was documentation provided showing that Plaintiff resided in Michigan or requested notices to be
10 sent to her in Michigan.

11 46. On or about June 9, 2009, counsel for Plaintiff sent a demand to Defendants
12 Verizon, NES and PMS for settlement of this matter and that Defendants repair Plaintiff's credit
13 which was damaged as a result of Plaintiffs actions.

14 47. Despite the knowledge that Plaintiff properly disputed the alleged debt and the
15 demand from Plaintiff's counsel, Defendant Verizon again ignored this information and retained a
16 third collection agency, Defendant CBE to collect the same disputed debt from Plaintiff.

17 48. Defendant Verizon harassed Plaintiff in violation of FDCPA § 1692 (d) by hiring a
18 third collection company, after knowledge from Defendants NES and PMS that Plaintiff disputed
19 her debt and informed Defendants NES and PMS that legal action would be taken due to the
20 negative reporting actions on Plaintiff's credit.

21 49. A statement dated June 11, 2009 was sent to Plaintiff at the same Bloomfield Hills,
22 Michigan address, in attempt to collect the same alleged debt that had already been disputed by
23 Plaintiff. **EXHIBIT 12.**

24 50. Defendant CBE, at the direction of Defendant Verizon contacted Plaintiff by
25 telephone at her residence on June 22, 2009, in violation of FDCPA 1692 (e) (11).

26 51. During the June 22, 2009 phone call with Defendant CBE, Defendant CBE's
27 representative identified herself as "Dana". Defendant CBE's representative stated she was
28

1 calling to verify Plaintiff's social security number and address, but did not identify herself as a
2 debt collector, in violation of FDCPA 1692 (e) (11).

3 52. Correspondence dated June 26, 2009, was sent to Defendant CBE informing them
4 that the alleged debt was disputed by Plaintiff. **EXHIBIT 13.**

5 53. Starting in June 2008, Defendant Verizon Wireless began reporting the alleged
6 debt to the Credit Reporting Agencies, wherein such alleged debt became a negative mark on
7 Plaintiff's credit report. **EXHIBIT 14.**

8 54. Defendant Verizon has knowingly continued to provide negative reports to the
9 three major Credit Bureaus, despite Plaintiff properly disputing the debt to two collection
10 companies, Defendants NES and PMS.

11 55. Plaintiff's credit score continues to drop. It went from the 700's to currently 684.

12 **EXHIBIT 15.**

13 56. Defendant Verizon is the only negative reporting creditor on Plaintiff's credit
14 report. See Exhibit 13.

15 57. Plaintiff applied for an American Express Card in April 2009.

16 58. Plaintiff received correspondence dated April 17, 2009, from American Express
17 denying her application for an American Express card, explaining that she had serious
18 delinquency, amount past due on accounts, level of delinquency on accounts, time since
19 delinquency is too recent or unknown. **EXHIBIT 16.**

20 59. Plaintiff had excellent credit, until Defendants Verizon Wireless, NES, PMS and
21 CBE defamed her with false reporting and now her credit score continues to drop due to their
22 illegal actions.

23 60. Defendants actions of reporting false information to the Credit Bureaus and failing
24 to communicate that the debt was disputed is in violation of FDCPA § 1692 (e) (8).

25 61. The foregoing acts and omissions of Defendants were undertaken by it willfully,
26 maliciously and intentionally, knowingly, and/or in gross or reckless disregard of the rights of
27 Plaintiff.

28

62. The foregoing acts and omissions of Defendants were undertaken by it indiscriminately and persistently, as part of its regular and routine debt collection efforts, and without regard to or consideration of the identity or rights of Plaintiff.

63. As a proximate result of the foregoing acts and omissions of Defendants, Plaintiff has suffered actual damages and injury, including, but not limited, stress, humiliation, mental anguish and suffering, and emotional distress, for which Plaintiff should be compensated in an amount to be proven at trial.

64. As a result of the foregoing acts and omissions of Defendants, and in order to punish Defendants for its outrageous and malicious conduct, as well as to deter it from committing similar acts in the future as part of its debt collection efforts, Plaintiff is entitled to recover punitive damages in the amount to be proven at trial.

CAUSES OF ACTION

COUNT I

65. The foregoing acts and omissions of the Defendants constitute violations of the FDCPA, including but not limited to, Sections 1692b, 1692d, 1692e and 1692g.

66. Plaintiff is entitled to recover statutory damages, exemplary damages, actual damages, and reasonable attorney's fees and costs.

COUNT II

67. The foregoing acts and omissions of the Defendants constitute violations of the FCRA, including but not limited to, Section 1681s-2.

68. Plaintiff is entitled to recover statutory damages, exemplary damages, actual damages, and reasonable attorney's fees and costs.

COUNT III

69. The foregoing acts and omissions constitute defamation as to Plaintiff's character.

70. By reporting negative and false information to the Credit Bureau as to Plaintiff's alleged debt, Defendants published a false and defamatory statement about Plaintiff to third parties.

1 71. Defendants knew and/or should have known it was false, or in the alternative,
2 should have waited to report any negative credit remarks until the debt was no longer disputed.

3 72. Defendants' published the statement negligently or in reckless disregard of the
4 truth.

5 73. Plaintiff demanded a retraction and Defendants intentionally and/or negligently
6 refused to retract the negative information to the Credit Bureau Agencies.

7 74. Defendants were direct and proximate result of damages to Plaintiff.

8 75. Plaintiff is entitled to recover exemplary damages, actual damages, and reasonable
9 attorney's fees and costs.

10 WHEREFORE, Plaintiff prays that this Honorable Court grant the following relief:

11 1. Award of actual damages;

12 2. Award exemplary and punitive damages as allowed and warranted by NRS 42 and
13 as allowed under *Countrywide Home Loans v Titchener*, 192 P3d 243 (2008);

14 3. Award statutory damages of \$1,000 pursuant to 15 U.S.C. § 1692k;

15 4. Award of attorney's fees and costs incurred including attorney's fees as provided
16 by statute and *Sand Valley Associates v Sky Ranch Estate Owners Association, et al*, 117 Nev
17 948, 35 P3d (2001), for fees which were natural and proximate consequence of the injurious
18 conduct;

19 5. Special damages in an amount according to proof at trial;

20 6. Cost of suit;

21 7. Require Defendants to remove all credit reporting and repair Plaintiff's credit
22 status with all Credit Bureau and Credit Reporting Services; and

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

8. Grant such other and further relief as it deems just and proper.

Dated this 22nd day of July, 2009.

VOHWINKEL & ASSOCIATES

/s/ Rory J. Vohwinkel

Rory J. Vohwinkel, Esq.
9980 W. Flamingo Road
Las Vegas, NV 89147
Rory@rovolaw.com
P: 702-838-3874
F: 702-838-9132
*Attorney for Plaintiff Monica L. Plaxton
(aka Monica Garin)*

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial on all issues so triable as provided by Rule 38(b) of the Federal Rules of Civil Procedure.

VOHWINKEL & ASSOCIATES

/s/ **Rory J. Vohwinkel**

Rory J. Vohwinkel, Esq.
9980 W. Flamingo Road
Las Vegas, NV 89147
Rory@rovolaw.com
P: 702-838-3874
F: 702-838-9132
*Attorney for Plaintiff Monica L. Plaxton
(aka Monica Garin)*